

Introduced by

Representatives Thorpe, DeKrey, M. Klein

Senators O'Connell, Seymour, Trenbeath

1 A BILL for an Act to create and enact a new section to chapter 39-22 of the North Dakota
2 Century Code, relating to collector motor vehicle auctions; and to amend and reenact section
3 39-22-21 of the North Dakota Century Code, relating to the sale of consignment vehicles.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 39-22 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Collector motor vehicle auctions - Permit required.**

8 1. A person may engage in the business of conducting a collector motor vehicle
9 auction without obtaining a motor vehicle dealer's license as otherwise required by
10 this chapter if:

11 a. Each motor vehicle sold or offered for sale at the auction is a collector motor
12 vehicle that includes antique and special interest vehicles;

13 b. The sale is open to the public;

14 c. The person conducts no more than two collector motor vehicle auctions per
15 year;

16 d. The site of the auction is located on property zoned or otherwise approved for
17 this purpose by the appropriate zoning authority; and

18 e. The auction lasts no more than two days.

19 2. Collector motor vehicle auctions that comply with this section may be conducted
20 any day of the week and section 39-22-07.1 does not apply to motor vehicle
21 dealers who participate in collector motor vehicle auctions.

22 **SECTION 2. AMENDMENT.** Section 39-22-21 of the North Dakota Century Code is
23 amended and reenacted as follows:

1 **39-22-21. Consignment vehicles - Penalty.** A motor vehicle dealer may sell a motor
2 vehicle consigned to the dealer by a motor vehicle owner, ~~except when the owner is a licensed~~
3 ~~motor vehicle dealer~~, under the terms of a consignment contract between the owner and the
4 dealer. The consignment contract form must specify the terms of the agreement between the
5 owner and the dealer, specify the location of the motor vehicle certificate of title, and must be
6 approved by the department. ~~Any~~ A person violating this section must be assessed a one
7 hundred dollar fee by the department for a first violation and a two hundred dollar fee by the
8 department for a second violation within two years of the first violation. The department shall
9 revoke the license of a motor vehicle dealer licensed under this chapter if a third or subsequent
10 violation of this section occurs within five years of the first violation.